

Lexington, Kentucky January 26, 2006

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in regular session on January 26, 2006 at 7:00 P.M. Present were Mayor Teresa Ann Isaac in the chair presiding and the following members of the Council: Council Members Cegelka, DeCamp, Ellinger, Farmer, Gorton, Lane, McChord, Moloney, Myers, Scanlon, Shafer, Stinnett, Wigginton and Brown. Absent was Council Member Stevens.

The reading of the Minutes of the previous meetings was waived.

Ordinances No. 1-2006 thru 8-2006 inclusive and Resolutions No. 1-2006 thru 10-2006 inclusive were reported as having been signed and published, and were ordered to record.

Lexington, Kentucky January 26, 2006

The Invocation was given by Rev. William Rauth, Southside Baptist Church.

*

Upon motion of Mr. DeCamp and seconded by Mr. Ellinger, the minutes of the November 17, December 1 and 13, 2005 Council Meetings were approved by unanimous vote.

*

Ms. Shafer presented a Commemoration hailing and commending Raymond August Store in honor of his 90th birthday.

*

*

A Commemoration hailing and commending the Kentucky 2005 Class AAA State Champion Lexington Catholic Knights Football Team for an outstanding season was on the docket.

The Mayor stated that the team was not present and the presentation would be postponed.

✱

✱

Ms. Gorton recognized Boy Scout Ben Brown who was attending the meeting for a badge he was working on.

*

*

The following ordinances were given second reading and passed by the following vote:

Aye: Cegelka, DeCamp, Ellinger, Farmer, Gorton, Lane, McChord,
Moloney, Myers, Scanlon, Shafer, Stinnett, Wigginton, Brown ----- 14

May: ----- 0

An Ordinance changing the zone from a Wholesale and Warehouse Business (B-4) zone to a Highway Service Business (B-3) zone for 0.55 net (0.63 gross) acre of property located at 183 Moore Drive, subject to certain use restrictions imposed as a condition of granting the zone change. (S. Lee Cutter Co., a Ky. Corp.)

An Ordinance changing the zone from a Professional Office (P-1) zone to a Neighborhood Business (B-1) zone for 1.00 net (1.11 gross) acres of property located at 1012 Wellington Way, subject to certain use and signage restrictions imposed as a condition of granting the zone change. (M.I.A. Development Co., LLC)

An Ordinance changing the zone from an Agricultural Urban (A-U) zone to a Highway Service Business (B-3) zone, for 2.46 net (2.48 gross) acres; from an Agricultural Urban (A-U) Zone to a Professional Office (P-1) zone, for 0.46 net (0.66

gross) acre; from a Highway Service Business (B-3) zone with conditional zoning restrictions to a Highway Service Business (B-3) zone with modified conditional zoning restrictions, for 0.62 net (0.71 gross) acre; and from a Professional Office (P-1) zone to a Highway Service Business (B-3) zone, for 0.58 net (1.70 gross) acres, subject to certain use, signage, and landscaping restrictions, for property located at 2440 Richmond Road (a portion of), 2318 Lake Park Road, and 2374 Lake Park Road (a portion of) (2440, LLC).

An Ordinance changing the zone from a Light Industrial (I-1) zone to a Professional Office (P-1) zone for 10.09 net (12.95 gross) acres of property located at 300 West Loudon Avenue, subject to certain use restrictions imposed as a condition of granting the zone change. (Hope Center, Inc.)

An Ordinance changing the zone from an Agricultural Rural (A-R) zone to an Agricultural Buffer (A-B) zone for 53.65 net (55.13 gross) acres of property located at 4350 Crawley Lane. (Lawrence and Betty Taylor)

An Ordinance changing the zone from a Wholesale and Warehouse Business (B-4) zone to a Mixed-Use Community (MU-3) zone for 4.69 net (5.79 gross) acres, and from a Light Industrial (I-1) zone to a Mixed Use Community (MU-3) zone for 0.85 gross acre, for property located at 501-525, 527-541, and 545-557 South Broadway. (Polaris Real Estate Equities, LLC)

An Ordinance changing the zone from an Agricultural Rural (A-R) zone to an Expansion Area Residential (EAR-1) zone for 31.09 net (32.03 gross) acres of property located at 1001, 1011, and 1111 Maple Ridge Place, subject to certain use and buffering restrictions imposed as a condition of granting the zone change. (Chilesburg Development Co.)

An Ordinance authorizing the Mayor to accept an award of \$5,000.00 from the Council for Excellence in Government, for the Div. of Police's Spanish Immersion Program and appropriating funds pursuant to Schedule No. 132.

An Ordinance accepting an award from Ky.-American Water Co. in the amount of five thousand dollars (\$5,000.00) for the Reforest the Bluegrass Project and appropriating funds pursuant to Schedule No. 133.

An Ordinance authorizing the Mayor to accept a donation of \$2,520.00 from the Center for Family and Community Services, for the Gainesway Community

Empowerment Center to purchase supplies and equipment and appropriating funds pursuant to Schedule No. 134.

An Ordinance authorizing the Mayor to execute a Deed and Certificate of Consideration, transferring two acres of land located at Gainesway Park, from the Urban County Government to the Board of Education of Fayette County, Ky., for the sum of \$60,000.00 designating such sum for use at Gainesway Park, and appropriating funds pursuant to Schedule No. 141.

An Ordinance authorizing the Mayor to accept a Grant from the Ky. Transportation Cabinet, which grant funds are in the amount of \$80,000.00 Federal funds, are for the Bicycle Lane Restriping and Feasibility Study, the acceptance of which obligates the Urban County Government for the expenditure of \$20,000.00 as a local match, appropriating funds pursuant to Schedule No. 135, and authorizing the Mayor to transfer unencumbered funds within the grant budget.

An Ordinance authorizing the Mayor to accept a Grant from the Ky. Transportation Cabinet, which grant funds are in the amount of \$41,920.00 Federal funds, are for continuation of a Pedestrian and Bikeway Coordinator position in the Div. of Planning, the acceptance of which obligates the Urban County Government for the expenditure of \$10,480.00 as a local match, appropriating funds pursuant to Schedule No. 136, and authorizing the Mayor to transfer unencumbered funds within the grant budget.

An Ordinance authorizing the Mayor to accept a Grant from the Ky. Governor's Office for Local Development, which grant funds are in the amount of \$25,000.00 Commonwealth of Ky. funds, are for the preservation of Cove Haven Cemetery, the acceptance of which requires a match of \$25,000.00 to be provided by Cove Haven, Inc., appropriating funds pursuant to Schedule No. 137, and authorizing the Mayor to transfer unencumbered funds within the grant budget.

An Ordinance authorizing the Mayor to execute Change Order No. 1 to the Contract with JGK Pipeline Services, for Gardenside Sewer Rehabilitation, increasing the contract price by the sum of \$61,635.49 from \$1,089,735.00 to \$1,151,370.49, and appropriating funds pursuant to Schedule No. 138.

*

*

*

An Ordinance amending certain of the budgets of the Lexington-Fayette Urban County Government to reflect current requirements for municipal expenditures, and appropriating and reappropriating funds, Schedule No.131 was given second reading.

Mr. Brown asked Ms. Donna Counts, Commissioner of the Dept. of Finance, to explain how the ordinance would affect the General Fund balance.

The ordinance passed by the following vote:

Aye: Cegelka, DeCamp, Ellinger, Farmer, Gorton, Lane, McChord,
Moloney, Myers, Scanlon, Shafer, Stinnett, Wigginton, Brown ----- 14

Nay: ----- 0

* * *

The following ordinances were given second reading and passed by the following vote:

Aye: DeCamp, Ellinger, Farmer, Gorton, Lane, McChord, Moloney,
Myers, Scanlon, Shafer, Stinnett, Wigginton, Brown ----- 13

Nay: ----- 0
(Mr. Cegelka disqualified himself when the vote was taken.)

An Ordinance authorizing the Mayor to accept the donation of \$2,500.00 and various gift items from Oracle, to be used at the Enterprise Resource Planning Project Kickoff event scheduled for January 2006, and appropriating funds pursuant to Schedule No. 139.

An Ordinance authorizing the Mayor to accept the donation of \$2,500 and various gift items from Cherry Road Technologies, Inc., to be used at the Enterprise Resource Planning Project Kickoff event scheduled for January 2006, and appropriating funds pursuant to Schedule No. 140.

* * *

An Ordinance changing the zone from an Economic Development (ED) zone to a Community Center (CC) zone for 43.60 net (48.94 gross) acres, from an Economic Development (ED) zone to an Expansion Area Residential 1 (EAR-1) zone for 50.58 net (50.58 gross) acres, and from an Economic Development (ED) zone to an Expansion Area Residential 2 (EAR-2) zone for 183.19 net (193.66 gross) acres of property located at a portion of 2175 and 2301 Russell Cave Road, 2350 Newtown Pike, and a portion of 2352 and 2356 Newtown Pike (Anderson RCH 2356, LLC) was given first reading and ordered placed on file for public inspection until March 9, 2006 for a public hearing.

* * *

An Ordinance changing the zone from a Single Family Residential (R-1A) zone to

a Townhouse Residential (R-1T) zone for 9.81 net (10.34 gross) acres of property located at 2484 Versailles Road (H3, LLC) was given first reading and ordered placed on file for public inspection until a public hearing to be held at a Special Meeting on February 21, 2006 at 6:00 p.m.

*

*

*

The following ordinances were given first reading and ordered placed on file two weeks for public inspection.

An Ordinance changing the zone from a Townhouse Residential (R-1T) zone to a Single Family Residential (R-1C) zone for 9.34 net (9.34 gross) acres, from a Single Family Residential (R-1C) zone to a Planned Neighborhood Residential (R-3) zone for 0.51 net (0.88 gross) acre, from a Townhouse Residential (R-1T) zone to a Planned Neighborhood Residential (R-3) zone for 18.71 net (21.60 gross) acres, from a Single Family Residential (R-1D) zone to a Planned Neighborhood Residential (R-3) zone for 15.30 net (15.30 gross) acres, and from a Neighborhood Business (B-1) zone to a Planned Neighborhood Residential (R-3) zone for 0.60 net (0.60 gross) acres of property located at 1811-2045 Winchester Road. (Patchen Wilkes Realty, LLC)

An Ordinance changing the zone from a Wholesale and Warehouse Business (B-4) zone to a Mixed-Use 2: Neighborhood Corridor (MU-2) zone for 0.80 net (0.96 gross) acre of property located at 555 South Upper Street. (Center Court 1, LLC)

An Ordinance amending Article 3-3 of the Zoning Ordinance so as to create requirements for sight triangles at railroad crossings and amending Article 18-3(a)(1)5 of the Zoning Ordinance to exempt property located within railroad sight triangles from the landscape screening requirements.

An Ordinance amending certain of the budgets of the Lexington-Fayette Urban County Government to reflect current requirements for municipal expenditures, and appropriating and reappropriating funds, Schedule No. 143.

An Ordinance amending certain of the budgets of the Lexington-Fayette Urban County Government to reflect current requirements for support of the Horse Patrol Commission in the Div. of Police for funds in the amount of \$750.00 from the Neighborhood Development Funds, and appropriating and reappropriating funds, Schedule No. 147.

An Ordinance amending certain of the budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of

\$11,000.00 in the Div. of Police from the Council Capital Funds for the purchase of Segways, and appropriating and reappropriating funds, Schedule No. 152.

An Ordinance authorizing the Mayor to accept a donation of \$300.00 from Wells Fargo Home Mortgage, for the Gainesway Community Empowerment Center to use at its discretion and appropriating funds pursuant to Schedule No. 144.

An Ordinance authorizing the Mayor to accept a donation of \$548.00 from the Annual Holiday House (Christmas Sale) for the Gainesway Community Empowerment Center to use as scholarships to send Homework Huddle teens to Ashville, North Carolina and appropriating funds pursuant to Schedule No. 145.

An Ordinance amending Section 14-10(f)(8) of the Code of Ordinances to delete the positions of Director of Consumer Protection, Environmental Training Coordinator, Director Environmental Services and Manager On Site Sewage; and to add the positions of Environmental Health Team Leader and Environmental Health and Protection Manager, employed by the Lexington-Fayette County Health Department as position titles for the enforcement of Code of Ordinances Sections 14-97 through 14-104.

An Ordinance authorizing the Mayor to execute Change Order No. 1 to the contract with Jason Tate Contracting, for expansion of Haley Pike Compost Pad increasing the contract price by the sum of \$47,447.59 from \$666,533.30 to \$713,980.89, and appropriating funds pursuant to Schedule No. 146.

* * *
An Ordinance authorizing the Mayor to execute a Sanitary Sewer License/Construction Agreement with Schneider Designs, Inc., for construction of a sewer line across Masterson Station Park that will serve residential development north of Spurr Road, at a cost to Schneider Designs, Inc., of \$20,000 (\$10,000.00 to be used for Masterson Station Park for fencing and \$10,000.00 for Masterson Hills Park for active recreation), and appropriating funds pursuant to Schedule No. 151 was given first reading.

Mr. Wigginton stated that Mr. Charlie Martin, Director of the Div. of Sanitary Sewers, was going to make a full presentation on the ordinance at Tuesday's Work Session.

The ordinance was ordered placed on file two weeks for public inspection.

* * *

Upon motion of Mr. Ellinger, seconded by Ms. Gorton and passed by unanimous vote, an Ordinance authorizing and directing the Mayor to execute Change Order No. 1 to the Contract with LDV, Inc., for the purchase of a Mobile Communications Command Post Vehicle, increasing the contract price by the sum of \$15,813.00 from \$266,331.00 to \$282,144.00, and appropriating funds pursuant to Schedule No. 153 was placed on the docket and given first reading.

Mr. Farmer asked Mr. Glendon Carlton, Div. of Fire, about the reasons for the ordinance.

The ordinance was ordered placed on file two weeks for public inspection.

* * *

The following resolutions were given second reading and passed by the following vote:

Aye: Cegelka, DeCamp, Ellinger, Farmer, Gorton, Lane, McChord,
Moloney, Myers, Scanlon, Shafer, Stinnett, Wigginton, Brown ----- 14

Nay: ----- 0

A Resolution accepting the bid of Software House International establishing a price contract for Novel Server Maintenance.

A Resolution accepting the bid of Secure Concepts, Inc., establishing a price contract for security cameras and equipment, for the Dept. of General Services.

A Resolution accepting the bid of Labor Works of Lexington, LLC establishing a price contract for temporary labor services, for the Div. of Solid Waste.

A Resolution accepting the bid of Coyne Textile Services establishing a price contract for rental of entrance mats, for the Div. of Building Maintenance and Construction.

A Resolution accepting the bid of CxTec, in the amount of \$38,415.59, for Nortel Computer Equipment, for the Div. of Computer Services.

A Resolution accepting the bid of Bluegrass Mailing, Data & Fulfillment Services, establishing a price contract for distribution of 2006 Fun Guide, for the Div. of Parks.

A Resolution accepting the bids of Standard Business Machines and Bluegrass Office Systems establishing a price contract for copier maintenance, for the Div. of Police.

A Resolution authorizing the Mayor to execute a Certificate of Consideration and to accept a Deed conveying a permanent storm sewer easement from Overbrook Farm, LLC, located at 2451 Armstrong Mill Road, for the Squires Hill Lane Culvert

Replacement Project, and authorizing payment in the amount of \$950.00, plus usual and appropriate closing costs.

A Resolution authorizing the Mayor to execute and submit an Application to the U.S. Dept. of Homeland Security and to provide any additional information requested in connection with this application for a thermal imager under the Commercial Equipment Direct Assistance Program (CEDAP).

A Resolution authorizing the Mayor to execute and submit a Grant Application to the U.S. Dept. of Justice, Office on Violence Against Women and to provide any additional information requested in connection with this grant application, which grant funds are in the amount of \$400,000.00 Federal funds from the Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program and are for a project designed to hold offenders of domestic violence accountable for their actions through investigation, arrest and prosecution and authorizing the Mayor to execute a Memorandum of Understanding with all community partners of the project, for comprehensive participation required for the project and the Grant Application.

A Resolution authorizing the Mayor to execute and submit a Grant Application to the U.S. Dept. of Health and Human Services/Health Resources and Services Administration and to provide any additional information requested in connection with this Grant Application, which grant funds are in the amount of \$300,000.00 Federal funds, and are for an Impact Nursing Workforce Project.

A Resolution authorizing the Mayor to execute and submit a Grant Application to the Ky. Heritage Council and to provide any additional information requested in connection with this Grant Application, which grant funds are in the amount of \$10,000.00 Federal funds, and are for the Div. of Historic Preservation's FY2007 Survey and Planning Project.

A Resolution authorizing the Mayor to execute and submit a Grant Application to the Ky. Board of Emergency Medical services and to provide any additional information requested in connection with this Grant Application, which grant funds are in the amount of \$14,200.00 Commonwealth of Ky. funds, and are for the purchase of a bariatric stretcher, a stretcher ramp kit and an Elk patient lifting system for the Div. of Fire.

A Resolution authorizing the Mayor to terminate the Adopt-A-Spot Program Agreement with U.S. Navel Sea Cadet Corp. in the amount of \$772.00 for quarterly litter

cleanup of Inner City Area Number Four due to nonperformance and to execute an Adopt-A-Spot Program Agreement with Brown & Brown Associates, for services in the same area, at a cost not to exceed \$772.00.

A Resolution authorizing the Mayor to execute Change Order No. 1 to the Contract with Free Contracting, Inc., for Evans Mill Road Drainage Improvements, decreasing the contract price by the sum of \$864.35 from \$98,895.50 to \$98,031.15.

*

*

*

A Resolution authorizing the Mayor to execute a Certificate of Consideration and to accept a Deed conveying permanent sanitary sewer and temporary construction easements from Community Ventures Corp., located at 1450 North Broadway, for the North Elkhorn Force Main Project, and authorizing payment in the amount of \$27,025.00, plus usual and appropriate closing costs was given second reading and passed by the following vote:

Aye: Cegelka, DeCamp, Ellinger, Farmer, Gorton, Lane,
McChord, Myers, Scanlon, Shafer, Stinnett, Wigginton, Brown ----- 13

Nay: Moloney ----- 1

*

*

*

The following resolutions were given first reading. Upon motion of Ms. Shafer and seconded by Mr. McChord, the rules were suspended by unanimous vote. The resolutions were given second reading and passed by the following vote:

Aye: Cegelka, DeCamp, Ellinger, Farmer, Gorton, Lane, McChord,
Moloney, Myers, Scanlon, Shafer, Stinnett, Wigginton, Brown ----- 14

Nay: ----- 0

A Resolution accepting the bid of B & H Photo-Video Pro Audio, Inc., in the amount of \$76,332.00, for the camera equipment, for the Div. of Government Communications.

A Resolution authorizing the Mayor to execute and submit various grant applications to the Ky. Transportation Cabinet and to provide any additional information requested in connection with this grant application, which grant funds are in the amount of \$743,380.00 Federal funds under the Congestion Mitigation and Air Quality (CMAQ) Program, and are for continuation of the Bikeway/Pedestrian Coordinator Program (\$43,380.00), six new passenger vans for the LexVan Fleet (\$144,000.00), fiber optic cable installation for the traffic signal system (\$320,000.00), the Red Light Running Project (\$80,000.00), the Bicycle Parking Program (\$16,000.00), the Share the Road

Safety Campaign (\$60,000.00), and implementation of the University of Ky. Bike Plan (\$80,000.00).

A Resolution honoring and celebrating the life of Mary Juanita Montgomery Fogle.

A Resolution authorizing the Mayor to execute a Release of Easement, releasing a sanitary sewer and street light easement at 2017 and 2033 Bryant Road.

A Resolution authorizing the Mayor to execute a Purchase of Service Agreement with Community Action Council, to provide heating assistance to low-income households in crisis, at a cost not to exceed \$219,000.00.

A Resolution authorizing the Mayor to execute Agreements with The African American Forum, Inc. (\$500.00), Calumet Area Neighborhood Association, Inc. (\$1,000.00), YMCA of Central Ky., Inc. (\$900.00), One World Films, Inc. (\$1,625.00), and Joyland Neighborhood Association, Inc. (\$100.00) for the Office of the Urban County Council, at a cost not to exceed the sums stated.

A Resolution authorizing the Mayor to execute an Engineering Service Agreement with Fuller, Mossbarger, Scott and May Engineers, Inc., for design services on the Trafton Street Stormwater Improvement Project, at a cost not to exceed \$111,159.00.

*

*

*

A Resolution ratifying the probationary civil service appointments of: Billie Carter, Communications Officer, Grade 111N, \$19.933 hourly, in the Div. of Police, effective January 23, 2006, George Cummins, Public Service Worker, Grade 106N, \$9.542 hourly, in the Div. of Parks, effective January 30, 2006, Sean Lawson, Communications Officer, Grade 111N, \$13.303 hourly, in the Div. of Police, effective January 23, 2006, Charles Phillip Dunn, Skilled Trades Worker Sr., Grade 112N, \$18.263 hourly, in the Div. of Fire, effective January 30, 2006; ratifying the permanent civil service appointments of: Sandra Lopez, Administrative Specialist Sr., Grade 112N, in the Div. of Building Maintenance and Construction, effective January 12, 2006, Ron St. Clair, Engineering Bonds Officer, Grade 111N, in the Div. of Engineering, effective January 25, 2006, Dennis Taylor, Building Inspector, Grade 113N, in the Div. of Building Inspection, effective January 25, 2006, Larry A. Benson, Wendell T. Simpson, and Harry J. Thornton, Public Service Worker, Grade 106N, in the Div. of Solid Waste, effective December 27, 2005, Joseph Warren, Golf Course Clubhouse Attendant, Grade 106N, in the Div. of Parks, effective September 21, 2005, Justin Huber, Public Service Worker, Grade 106N, in the Div. of Parks, effective December 13, 2005, Harold Stacy,

Trades Worker Sr., Grade 109N, in the Div. of Parks, effective February 8, 2006; ratifying the probationary sworn appointments of: Marshall Griggs, Fire Major, Grade 318E, \$2,872.24 bi-weekly, in the Div. of Fire, effective January 9, 2006, Edward Davis, Fire Major, Grade 318E, \$2,872.24 bi-weekly, in the Div. of Fire, effective January 9, 2006, Charles Bowen, Fire Captain, Grade 316N, \$19.498 hourly, in the Div. of Fire, effective January 9, 2006, Jason Shumate, Fire Lieutenant, Grade 315N, \$14.749 hourly, in the Div. of Fire, effective December 26, 2005, Roy McClain, Fire Lieutenant, Grade 315N, \$14.749 hourly, in the Div. of Fire, effective January 9, 2006; approving the unclassified civil service appointment of: John T. Ice, Staff to Council II, Grade 000E, \$1,707.92 bi-weekly, effective October 10, 2005; adjusting the salary of Marian Zeitlin, Staff to Council II, Grade 000E from \$1,707.92 bi-weekly to \$1,923.08 bi-weekly, in the Office of the Urban County Council, effective retroactive to December 5, 2005 was on the docket for first reading.

Ms. Gorton made a motion, seconded by Ms. Shafer, to amend the resolution to change the bi-weekly salary of John T. Ice, Staff to Council II, from \$1,707.92 bi-weekly to \$1,923.08 bi-weekly.

Mr. Scanlon made a motion, seconded by Mr. McChord, to table the resolution for two weeks.

Mr. Scanlon's motion failed to passed by a hand vote of 2-12.

Mr. Scanlon asked Mr. Jerry Southers, Council Administrator, and Ms. Gorton, about the proposed salary increase.

There was a discussion among the Council concerning hiring employees at the pay scale maximum.

Ms. Gorton's motion passed by a hand vote of 13-1 (Mr. Scanlon voted no).

The resolution was given first reading as amended. Upon motion of Ms. Shafer and seconded by Mr. McChord, the rules were suspended by unanimous vote. The resolution was given second reading and passed by the following vote:

Aye: Cegelka, DeCamp, Ellinger, Farmer, Gorton, Lane, McChord,
Moloney, Myers, Shafer, Stinnett, Wigginton, Brown ----- 13

Nay: Scanlon ----- 1

*

*

*

The following resolutions were given first reading and ordered placed on file two weeks for public inspection.

A Resolution accepting the bid of Central Rock Mineral Co. LLC, in the amount of \$81,331.09, for construction of Valley Park Sanitary Sewer Improvements.

A Resolution accepting the bid of Zoll Medical establishing a price contract for defibrillators, for the Div. of Fire.

A Resolution authorizing the Mayor to execute a Certificate of Consideration and accept a Deed of permanent storm sewer easement and temporary construction easement from Ms. Nickol Gillum at 137 Suburban Court, for the Dantzler Arcadia Cherokee Park Phase II Project, and authorizing payment in the amount of \$4,050.00, plus usual and appropriate closing costs.

A Resolution authorizing the Mayor to execute Agreements with Blues Star Mothers of the Bluegrass, Inc. (\$800.00), Paul Laurence Dunbar Soccer Boosters Club, Inc. (\$275.00), and Missionary Baptist Ministerial Fellowship Organization, Inc. (\$375.00) for the Office of the Urban County Council, at a cost not to exceed the sums stated.

A Resolution authorizing the Mayor to execute a Purchase of Service Agreement with Positive Link Center, Inc., for programs designed to provide resources and support for at-risk youth to stop the cycle of truancy and violence, at a cost not to exceed \$10,000.00.

A Resolution authorizing the Mayor to execute a Customized Training Services Agreement with The Trane Co., for welding skills training, at a cost not to exceed \$11,600.00.

A Resolution declaring the official intent of the Lexington-Fayette Urban County Government with respect to reimbursement of temporary advancements for capital expenditures for voting machines and related equipment to be made from subsequent borrowings in a maximum principal amount not to exceed \$800,000.00.

A Resolution changing the street name and property address numbers of 118 West Sixth Street to 571 Harry Street, of 401 Dabney Drive to 3191 Mapleleaf Drive, of 1505 East New Circle Road to 2306 Palumbo Drive, of 733 Georgetown Street to 325 Roosevelt Blvd., of 2160 Sir Barton Way to 1970 Pavillion Way, and of 800 Denali Pass to 917 Jouett Creek Drive; changing the property address numbers of 1010 West New Circle Road to 1008 West New Circle Road, of 1594 Ferguson Road to 1542 Ferguson Road, of 2200 Sir

Barton Way to 2160 Sir Barton Way, and of 2250 Hume Road to 2280 Hume Road; all effective thirty days from passage.

A Resolution authorizing the Mayor to execute a Certificate of Consideration and accept a deed conveying a temporary construction easement and permanent right-of-way from Prather Investments, LLC, located at 821 East Loudon Avenue, for the Loudon avenue Improvements Project, and authorizing payment in the amount of \$3,550.00, plus usual and appropriate closing costs.

A Resolution authorizing the Mayor to execute an Agreement with MyCareerNetwork.com, LLC (MCN), for a web based case management system for the Mayor's Training Center, at a cost not to exceed \$24,000.00.

* * *

Upon motion of Ms. Shafer, seconded by Ms. Gorton and passed by unanimous vote, a Resolution accepting the bid of Comfort & Process Solutions, in the amount of \$38,761.25, for cooling tower at Family Care Center was placed on the docket and given first reading.

Ms. Shafer made a motion, seconded by Ms. Gorton, to suspend the rules and give the resolution second reading.

Mr. Wigginton asked Mr. Tim Clark, Acting Commissioner of the Dept. of General Services, and Ms. Donna Counts, Commissioner of the Dept. of Finance, about the reasons for walking on the resolution.

Mr. Cegelka asked Mr. Clark to explain the need to suspend the rules and give the resolution two readings.

Mr. Jerry Smith, CMT Engineers, the designer for the bid specifications, stated that there would be up to an eight week waiting period for the delivery of a cooling tower.

The motion failed to pass.

The resolution was ordered placed on file two weeks for public inspection.

* * *

Upon motion of Ms. Shafer, seconded by Mr. DeCamp and passed by unanimous vote, the following communication from the Mayor was approved and is as follows: (1) recommending the appointment of Luis Wayne Sanchez to the Human Rights Commission with a term to expire 1-1-2010. Mr. Sanchez will fill the unexpired term of

Nalini Sudharshan.

*

*

*

The reports from (1) the Div. of Building Inspection for the month of December, 2005 and (2) the Div. of Sanitary Sewers for the month of December, 2005 were received and ordered filed.

*

*

*

Mr. Bernard McCarthy, 515 Harry Street, spoke about the Downtown Development Plan and requested that existing streets be kept intact or made wider, and suggested that the Government do in-house designing rather than hire a consultant for the work.

*

*

*

The meeting adjourned at 8:01 p.m.

Clerk of the Urban County Council